

**Examining the Impact of Restorative Justice on Teacher Retention in K-12 Public
Education**

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Abstract

A recent study conducted by the American Psychological Association (APA) on school violence observed an emerging trend of in-school violence committed by students on school faculty and staff (McMahon et al., 2022). As a result, educators have increasingly factored student-related violence on adult stakeholders in their decisions regarding teacher turnover in various schools throughout the United States (Acosta, 2023; Walker, 2022). Although the recent phenomenon on school safety tends to focus on mass-shootings, this paper will examine how effective restorative justice has been as a deterrent to daily student-led violence during school hours (Dukes, 2023; Walker, 2022). Additionally, this paper will cite the Colorado Department of Education (CDE) and Denver Public Schools (DPS) as a model to examine the success or challenges of restorative justice in k-12 public education.

Introduction

For more than fifteen years I have worked in k-12 public education in various capacities, and in those fifteen years I have celebrated triumphs, as well as life-altering tragedies; both of which, still impact me to this day. I have worked as a General Education Diploma (GED) teacher for men awaiting murder trials (Schaeer & Quillen, 2012). Additionally, I have taught students in alternative educational settings who later murdered or were murdered due to gang-affiliation (Faulconer, 2015), Lastly, I have coached players who have lost their lives for simply being at the wrong place at the wrong time (Delbridge, 2014). However, despite working in high-risk academic settings, I can honestly say that I have never felt more at-risk for my safety than these past nine years as a U.S. History teacher in traditional high school settings.

This past 2022-2023 school year, I was subject to multiple school-related lockdowns due to the threat of a mass shooting, or two separate incidents of a student in possession of a loaded gun on school campus (Heaton & Seaver, 2022; Ross, 2022). Since the COVID-19 pandemic, school-related violence has steadily increased according to the APA (McMahon et al., 2022; DHS, 2022). Teachers, paraprofessionals, bus drivers, and other adult stakeholders have been victims of student-led assaults on school campus (Glavin & Digammerino, 2023; Fernadez, 2023). According to the APA, nearly one-third of adults who work in k-12 public education reported being assaulted at least once within the previous year (2022). Coincidentally, according to the Institute for Educational Sciences (IES), nearly fifty-three percent of public schools classify themselves as a “staff-shortage” school (IES, 2022).

Although the purpose of this paper will be to discuss the effectiveness of restorative justice in k-12 public education, I will also discuss whether restorative justice ineffectiveness has led to an increase in teacher turnover. In correlation, the following questions will be answered: (a) is restorative justice a contributing factor to student-led violence against adult stakeholders in

education, and (b) does the rise in student-led violence against adult stakeholders contribute to the increase of teacher shortages in k-12 public education.

Restorative Justice

Identifying a relationship between punitive discipline and the ‘school to prison’ pipeline that is often noted by educational scholars, restorative justice advocates have lobbied for public schools to adopt more equitable approaches to behavior redirection that does not disproportionately target Black or Brown students. Noted educational scholar, Henry Giroux considers punitive punishment in k-12 public education as a contributing factor to what he considers to be the “crime control index (CCI)” (Giroux, 2011, p. 95). In his book *On Critical Pedagogy*, Giroux explains CCI in this summation statement “as youth incarceration rates soar, the model of prison increasingly appears to influence almost every major institution that impacts directly on the youth...” (Giroux, 2011, p. 95). For many restorative justice advocates, Giroux’s interpretation of punitive punishment has encouraged their support to remove ‘zero-tolerance’ policies in k-12 public education.

Restorative justice can be observed through programs specifically driven by social emotional learning (SEL) initiatives, and it can also be observed through district-wide programs such as Positive Behavior Intervention and Support (PBIS), Multi-Tiered Systems of Support (MTSS), or even programs such as Advanced Via Individual Determination (AVID) (Woolf, 2023). Focusing on PBIS, this intervention to redirect maladaptive behavior in children typically tracks and monitors students over the course of their public educational k-12 experience. Under restorative justice initiatives such as PBIS, behavior-specific praises are encouraged through the following: (1) description of positive social or academic behavior, (2) specific identification/group engaging in positive behavior, and (3) use of authentic and positive tone of voice to celebrate behavioral praise (De-Fitch, 2023; RPP, 2017).

Overall Challenges to Recruitment and Retention in Public K-12 Education

Although restorative justice has promising intentions, little research exists to show the long-term benefits of PBIS and other non-punitive based programs in reducing behavioral incidents in the classroom. National and state teacher unions have expressed their concerns with student-led assaults on adult stakeholders in public schools as a contributing factor to educational employment shortages in school districts across the United States (Acosta, 2023; Walker, 2022). Coincidentally, there is a considerable decline in education majors on college campuses (Will, 2022), and I would argue that the national news interests of student-led assaults could play a role in recruitment and retention efforts by school districts to hire and keep quality educators and support staff in k-12 public classrooms.

The Challenges of Restorative Justice in Colorado Public Schools

The Colorado Department of Education (CDE) is one of the earliest educational systems to embrace the inclusivity of restorative justice as a behavioral improvement model. Senior policy research analyst at UCLA Ryan Pflieger, and Howard University professor Kathryn Wiley, conducted a study on discipline and behavior within CPE between 2008 and 2010. In their research, Pflieger and Wiley observed that Black students received almost three times more disciplinary action than their White peers (Pflieger & Wiley, 2012). Through their findings, Pflieger and Wiley recommended the incorporation of PBIS measures to help reduce the racial disparity of discipline within the Colorado Public School system. Although there is no mentioned specification to Pflieger and Wiley's research having directly influenced CDE's embracing of restorative justice as a state-wide initiative, Denver Public Schools (DPS) first piloted a restorative justice school as early as 2006, and gradually expanded the program around the time Pflieger and Wiley's research had been presented to state educational leaders in 2012 (RPP, 2017; Pflieger & Wiley, 2012).

Table 1 represents data conducted by the CDE over a ten-year period from 2012 to 2022. As DPS shows evidence, school districts across the state of Colorado began implementing restorative practices in place of punitive punishment as early as 2006 (RPP, 2017). If restorative justice is an effective behavioral redirection process as Pflieger and Wiley presented, then there should be evidence through a noticeable decline in behavioral disruptions on a year-to-year basis.

Table 1

Ten-year trend data on the CDE's state suspension and expulsion incidents

SUSPENSIONS (Classroom + In-School + Out of School)											
Incident Type	SCHOOL-YEAR										
	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	
DRUG VIOLATIONS	4,319	4,714	4,529	1,579	1,006	1,432	1,698	1,160	386	1,721	
ALCOHOL VIOLATIONS	714	662	1,015	634	703	875	765	569	168	856	
TOBACCO VIOLATIONS	1,005	1,335	1,434	1,179	1,035	2,689	4,580	2,646	1,203	4,611	
1ST, 2ND, OR VEHICULAR ASSAULT	162	104	121	63	114	94	70	91	53	114	
3RD DEGREE ASSAULTS/DISORDERLY CONDUCT	4,662	3,873	3,692	3,714	4,079	4,520	4,354	3,435	811	4,911	
DANGEROUS WEAPONS	557	550	612	633	509	666	560	383	250	827	
ROBBERY	143	130	113	118	144	94	75	87	24	92	
OTHER FELONY	99	205	86	94	81	79	67	52	17	81	
DISOBEDIENT/DEFIANT OR REPEATED INTERFERENCE	24,206	20,950	24,572	24,824	25,677	25,820	24,037	18,401	4,165	15,379	
DETRIMENTAL BEHAVIOR	25,992	22,312	23,095	23,589	26,064	30,964	30,141	22,178	7,707	29,627	
DESTRUCTION OF SCHOOL PROPERTY	697	1,658	718	686	799	726	797	724	235	1,639	
MARIJUANA VIOLATION**	N/R	N/R	N/R	2,657	3,147	3,187	3,473	2,729	686	3,843	
SEXUAL VIOLENCE**	N/R	N/R	N/R	10	24	26	26	21	29	32	
OTHER CODE OF CONDUCT VIOLATIONS	17,762	17,139	20,539	20,524	23,074	22,165	21,457	15,816	6,360	19,681	
TOTAL SUSPENSIONS	80,318	73,632	80,526	80,304	86,456	93,337	92,100	68,292	22,094	83,414	

Note: Table 1 is provided from the Colorado Department of Education's website

As evidenced from Table 1, apart from drug violations and the 2020 through 2021 school year when schools were closed or restricted due to COVID-19 (Brundin, 2021; Paul, 2021).

Unfortunately, it does not appear that schools across the state of Colorado experienced any substantial, or noticeable decreases in behavioral incidents over the ten-year period. Furthermore, the state of Colorado followed national trends with an increase of behavioral disruptions post COVID-19 (McMahon et al., 2022).

Restorative justice advocates have argued that their approach to behavioral redirection is necessary in removing negative perceptions that some adult stakeholders tend to have towards students based on race and/or socioeconomic status (Vincent et al., 2012; Sandwick et al., 2019). To the previous point, in 2020, DPS made the decision to remove all law enforcement from their public-school buildings in the wake of the George Floyd murder in Minneapolis (Smith, 2023). As mentioned previously, Giroux et al detail the racial imbalance of punitive justice that leads to the ‘school to prison’ pipeline or the CCI (Giroux, 2011).

Table 2

CDE’s suspension and expulsion rate based on race for the 2021-2022 school year

2021-2022 Students Disciplined by Race/Ethnicity														
School Year	District Code	District Name	Categories	Classroom Removal	In School Suspension	Received One Out of School Suspension	Received Multiple Out of School Suspension	Total Out of School Suspensions	Expulsion With Services	Expulsion Without Services	Referrals to Law Enforcement	School Related Arrest	Other Action	Unduplicated Count of Students Disciplined
2021-2022	STATE TOTALS		American Indian or Alaska Native	6	226	317	290	651	11	*	41	*	229	847
2021-2022	STATE TOTALS		Asian	11	235	392	180	634	13	*	68	*	328	1026
2021-2022	STATE TOTALS		Black or African American	124	2278	2550	3086	6361	64	49	314	20	2154	7809
2021-2022	STATE TOTALS		Hispanic or Latino	571	13292	14634	11052	30642	301	133	2108	58	10580	38453
2021-2022	STATE TOTALS		Native Hawaiian or Other Pacific Islander	0	79	120	84	223	*	*	8	*	52	279
2021-2022	STATE TOTALS		Two or More Races	108	1559	1698	1404	3654	31	21	218	6	1542	4945
2021-2022	STATE TOTALS		White	984	12984	12858	8913	23890	174	130	1588	28	13147	38335
2021-2022 Total				1804	30653	32569	25009	66055	596	343	4345	114	28032	91694

Note: Table 2 is provided from the Colorado Department of Education’s website

As Table 2 indicates, in the return from COVID-19 year, Black and Brown students overwhelmingly accounted for the most discipline referrals in Colorado’s public school system. Despite outlined efforts to incorporate restorative justice throughout the CDE, Black and Brown students continue to be disciplined at far greater rates than their White peers (CDE, 2022). Using the recent census conducted by the United States on Colorado, Black and Hispanic residents combined only make up less than one-third of the White population throughout the state.

Therefore, if less than one-third of the population accounts for more than sixty percent of all multiple-out-of-school suspensions, then it is a fair critique that restorative justice has yet to be effective in disrupting the CCI and the racial disparity in discipline between Black/Brown students and their White peers in the Colorado Public School system.

Incident at Denver East High School

On March 23rd, 2023-Austin Lyle, a 17-year-old student at Denver East High School (DEHS) shot and wounded two administrators before fleeing school campus and taking his own life (Slevin & Bedayn, 2023). One year prior to enrolling at DEHS, Lyle had been expelled from Overton High School (OHS) for posting a picture on social media of his rifle with an extended clip (Ali, 2023). Upon entering DEHS, Lyle had been required to sign a behavioral contract, which is common under most PBIS models to redirect disruptive behavior (Beyl, 2020). While details are still being released, one of the conditions of Lyle's behavioral contract at DEHS was that he would be subject to daily searches before entering the DEHS campus (Ali, 2023).

Based on the events at DEHS, three conclusions can be made from the Lyle incident: (1) Austin Lyle should not have been placed in a traditional public school setting less than a year after posting his 'ghost gun' on social media, (2) the scrutiny of Lyle being subject to a daily search could have contributed to his frustration and decision to shoot two school administrators, and (3) the decision for DPS to remove school resource officers did in fact make DEHS more vulnerable to the actions committed by Lyle (Tauber, 2023; Lewis, 2020). These conclusions do not disqualify the use of restorative practices in DPS or other school districts, but rather, it brings into consideration the need to more critical of the restorative process in the hopes of improving the process of student discipline altogether.

Advocacy of Zero-Tolerance Policies to Protect Teachers

The attempted murder of two administrators at DEHS by a student on a behavioral contract, is just one of countless incidents over a ten-year period in which students have either assaulted, injured, or even murdered adult stakeholders in school buildings across the United States. As mentioned previously, at least one-third of all teachers who participated in a study conducted by the APA reported being assaulted at least once during the 2021-2022 school year (McMahon et al., 2022). Coincidentally, teacher preparation programs have reported seeing declines in student enrollment (Peyton & Acosta, 2020), and many teachers have opted to quit the profession due to post-pandemic stress (Barnum, 2023). Of schools mostly impacted by teacher shortages, Title I schools appear to traditionally have the greatest rate of teacher turnover (Carver-Thomas & Darling-Hammond, 2019).

Earlier this year in Florida, a video virally circulated the internet of a 17-year-old male student brutally attacking and knocking unconscious a female paraprofessional because the student claimed the paraprofessional took his Nintendo Switch from him (Fernandez, 20223). In the case of the 17-year-old male, he had three assault incidents prior to the viral attack video (2023). Also, this year a high school in Georgia, a video went viral of a female student viciously attacking an older female teacher over the confiscation of cell phone during class. As a result of this attack, the teacher was hospitalized due to a broken leg, and remains out of work because of the injuries she sustained (Acosta, 2023).

Vedallia Turner, President of the Georgia Federation for Teachers is advocating for a return to zero-tolerance policies considering numerous student-led assaults of adult stakeholders in the schools. Turner was quoted in response to the attack on the female teacher “when we search the web and just Google ‘student assaults on teachers,’ we’ll see numerous assaults across the

country and its driving teachers out of the classroom” (Dukes, 2023). Turner explained that “the number one problem in attracting classroom teachers happens to be the environment and right under that...discipline problem” (2023). Turner concluded that education is “in a state of emergency” and that “we need zero tolerance” (2023).

Concurring to Vedallia Turner’s concerns, National Education Association (NEA) president, Becky Pringle, shared her belief that “climate and school safety” are the growing reasons as to why teacher turnover is increasing in public k-12 education (Walker, 2022). Although Turner and Pringle did not specify restorative justice as the central problem, Turner’s plea for zero-tolerance is a shift from restorative justice as a best practice to effective and equitable behavioral redirection.

Conclusion

Overall, the goal of this paper is not to call for the abolishment of restorative justice in k-12 public education. As there are credible critiques of restorative justice, I would imagine the same can be said for punitive justice approaches to behavioral redirection in the school buildings across the United States. In summation, there is simply no ‘one size fits all’ approach to solving the behavioral concerns increasing throughout the public k-12 educational system.

With each effort to address behavioral concerns/incidents in public k-12 schools, whether it be: zero tolerance, corporal punishment, or even restorative justice; the belief behind each concept I believe is centered on improving student behavior. Nevertheless, any initiative to improve student behavior must make student and adult safety in the school building a top priority

References

- Acosta, J. (2023, February 2). Teacher hospitalized after brutal attack by high school student captured on video. *People*. <https://people.com/crime/teacher-hospitalized-attack-student-video/>
- Ali, S. S. (2023, March 23). Colorado student who shot two school administrators had been on probation for a weapons charge. *NBC News*. <https://www.nbcnews.com/news/colorado-student-shot-two-school-administrators-probation-weapons-char-rcna76383>
- Barnum, M. (2023, March 6). 'I just found myself struggling to keep up:' number of teachers quitting hits new high. *USA Today*. <https://www.usatoday.com/story/news/education/2023/03/06/more-teachers-quitting-than-usual-driven-stress-politics-data-shows/11390639002/>
- Beyl, S. (2020). Questioning the rule: the civic implications of positive behavioral interventions and supports (PBIS) as a pedagogy of power [Student research]. Yale College Education Studies Program.
- Brundin, J. (2021, January 11). Denver Public Schools restarts in-person learning, but some remain nervous over coronavirus transmission. *CPR News*. <https://www.cpr.org/2021/01/11/denver-public-schools-restarts-in-person-learning-but-some-remain-nervous-over-coronavirus-transmission/>
- Carver-Thomas, D., & Darling-Hammond, L. (2019). The trouble with teacher turnover: how teacher attrition effects students and schools. *Education Policy Analysis Archives*, 27(36). 1-36.
- De-Fitch, S. (2023). Behavior-specific praise in the classroom: the complete guide. *Panorama Education*. <https://www.panoramaed.com/blog/guide-to-behavior-specific-praise-in-the-classroom>
- Delbridge, W. (2014, October 24). Family in shock over Heritage High grads murder. *ABC 13 News*. <https://wset.com/archive/former-heritage-high-school-basketball-player-killed>
- Faulconer, J. (2015, January 21). Another murder suspect in fatal Lynchburg drive-by found guilty. *The News Press*. https://newsadvance.com/news/local/another-murder-suspect-in-fatal-lynchburg-drive-by-pleads-guilty/article_4ab392b4-a183-11e4-a984-f328f5c295aa.html
- Fernandez, F. (2023, March 1). Students charged in Matanzas High School attack had 3 previous battery charges. *The Dayton Beach News-Journal*. <https://www.news-journalonline.com/story/news/crime/2023/03/01/matanzas-high-school-attack-brendan-depa-had-3-prior-battery-charges-before-attack-on-joan-naydich/69957847007/>
- Giroux, H. (2011). *On critical pedagogy*. New York, NY. Bloomsbury Academics
- Heaton, E., & Seaver, M. (2022, September 19). Investigation underway into origin of South Fort Myers High School threat. *Wink News*.

- <https://winknews.com/2022/09/19/investigation-underway-into-origin-of-south-fort-myers-high-school-threat/>
- Institute of Education Sciences (2022). School pulse personnel. Staffing. <https://ies.ed.gov/schoolsurvey/spp/>
- Lewis, S. (2020, June 12). Denver school board votes unanimously to remove police from public schools. *CBS News*. <https://www.cbsnews.com/news/denver-school-board-votes-unanimously-remove-police-public-schools-george-floyd-protests/>
- McMahon, S., Anderman, E. M., Astor, R. A., Espelage, D. L., Martinez, A., Reddy, L. A., & Worrell, F. C. (2022). Violence against educators and school personnel: crisis during COVID. Policy Brief. American Psychological Association. <https://www.apa.org/education-career/k12/violence-educators.pdf>
- No Author. (2017). School-wide restorative practices: step-by-step. *RPP Denver*.
- Paul, J. (2020, August 24). Colorado's governor says people should expect coronavirus school closures as in-person learning resumes. *Colorado Sun*. <https://coloradosun.com/2020/08/24/colorado-coronavirus-schools-jared-polis-reopening-closures/>
- Peyton, D., & Acosta, K. (2022). Understanding special education teacher shortages. *State Education Standard*, (22)1. 20-24.
- Pflegler, R., & Wiley, K. (2012). Colorado disciplinary practices, 2008-2010: disciplinary actions, student behaviors, race and gender. Boulder, CO. National Education Policy Center.
- Ross, N. (2023, February 15). Third South Fort Myers High School student arrested for gun on campus. Here's what we know. *The News-Press*. <https://www.news-press.com/story/news/education/2023/02/15/2-lee-county-students-arrested-for-gun-threats-on-parkland-anniversary/69906365007/>
- Sandwick, T., Hahn, J. W., & Ayoub, L. H. (2019). Fostering community, sharing power: lessons for building restorative justice school cultures. *Education Policy Analysis Archives*, (27)145. 1-35.
- Schaeer, R., & Quillen, I. (2012, July 17). Jury: Raheem Johnson guilty of murder. *ABC 13 News*. <https://wset.com/archive/jury-raheem-johnson-guilty-of-murder>
- Slevin, C., & Bedayn, J. (2023, March 23). Body found near Denver high school shooting suspect's car. *Associated Press*. <https://apnews.com/article/shooting-east-high-school-denver-b7db159105dcaea44a816a8841ffd965>
- Smith, M. (2023, March 23). School resource officers: why they were removed from Denver Public Schools and what happens now? *ABC Denver 7*. <https://www.denver7.com/news/local-news/school-resource-officers-why-they-were-removed-from-denver-public-schools-and-what-happens->

